

FINAL STATEMENT OF REASONS:

The California Department of Corrections proposes to repeal Section 3074 of the California Code of Regulations (CCR), Title 15, concerning the Alternative Sentencing Program Establishment.

The Alternative Sentencing Program was established in 1992 by the Legislature pursuant to Penal Code (PC) Sections 1173 to 1173.10. The intent was to provide selected first-term, able-bodied male offenders a voluntary alternate sentence which stressed a highly structured routine of discipline, regimentation, exercise, and work therapy together with substance abuse workshops, education, prerelease counseling and self-improvement counseling, all within a military-type environment.

PC Section 1173.10 contained a sunset provision stating that the program would cease to exist on January 1, 1998. Because of the sunset of the program, the Department discontinued the implementation of the regulations regarding alternative sentencing, CCR Section 3074.

The Department has determined that no alternative considered would be more effective in carrying out the purpose of this action or would be as effective and less burdensome to affected private persons than the action proposed.

Section 3074 is repealed. The statutes establishing the Alternative Sentencing Program were repealed by Section 1, Ch 1068 of the Statutes of 1998. The Department has ceased implementing this program.

ASSESSMENTS, MANDATES AND FISCAL IMPACT:

This action will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

The Department determines this action imposes no mandates on local agencies or school districts; no fiscal impact on State or local government, or Federal funding to the State, or private persons. It is also determined that this action does not affect small businesses nor have a significant adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states, because they are not affected by the internal management of State prisons; or on housing costs; and no costs or reimbursements to any local agency or school district within the meaning of Government Code Section 17561.

DETERMINATION:

The Department has determined that no alternative considered would be more effective in carrying out the purpose of this action or would be as effective and less burdensome to affected persons.

PUBLIC COMMENTS:

Public Hearing: Held November 28, 2001 at 9:00 a.m.

No one attended the public hearing and no oral comments were received.

Summaries and Responses to Written Comments:

There were no public comments.